

PROPERTY DIVISION

1

Do not
or file this copy
page

To Make Someone Obey A Court Order

Part 1: Completing and Filing
the Court Papers

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SELF-SERVICE CENTER

TO ENFORCE PROPERTY DIVISION ORDER

FOR PETITIONER OR RESPONDENT

PART 1 -- COMPLETING AND FILING THE COURT PAPERS

How to assemble these documents

This packet contains court forms and instructions to file a ***“Petition to Enforce Court Order for Division of Property.”*** Be sure the documents are in the following order.

Order	File Number	Title	No. Pp.
1	DREP1t	Table on forms/instructions in this packet	1
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5	DREP12h	Help on what to do next	2
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Self-Service Center Forms and Instructions

PETITION AND PAPERS FOR ENFORCEMENT OF ORDER ON PROPERTY

CHECKLIST

USE THE FORMS and instructions in this packet only if the following factors apply to your situation:

- ✓ You have a Maricopa County Divorce Decree ordering the distribution of property **AND**,
- ✓ Your former spouse will not give you property you are entitled to under the decree

WARNING: If the order you want to change is not from this county, ask a lawyer about the requirements to file your Petition (Request) with this Court.

DO NOT USE THE FORMS and instructions in this packet if the following factors apply to your situation:

- ✓ Your former spouse was ordered to pay certain **debts**, and he/she did not do so (in these cases, see a lawyer for help)

READ ME: Before filing documents with the Court, consult a **lawyer** to help guard against undesired and unexpected consequences. The Self-Service Center has a list of lawyers who can give you legal advice and who can help you on a task-by-task basis for a fee, and a list of court-approved mediators as well. You may view the lists at the Self-Service Centers or from our web site at: <http://www.superiorcourt.maricopa.gov/ssc/provider/lawyers.asp>

SELF-SERVICE CENTER

INSTRUCTIONS FOR HOW TO FILL OUT PETITION TO ENFORCE COURT ORDER ABOUT DIVISION OF PROPERTY

WHEN TO USE THIS FORM:

Use this form if you want to get a court order making the other party obey the divorce decree about division of property. **YOU CANNOT USE THIS FORM TO MAKE THE OTHER PARTY PAY A DEBT HE OR SHE WAS ASSIGNED AS A RESULT OF THE DIVORCE.** USE THIS FORM ONLY If you have a divorce decree that gave you certain property or rights to property, and your former spouse is not obeying the divorce decree.

WHEN FILLING OUT ANY COURT FORMS, PLEASE TYPE OR PRINT WITH BLACK INK ONLY!

IMPORTANT NOTICE TO VICTIMS OF DOMESTIC VIOLENCE:

Unfortunately, domestic violence can be part of any relationship. Domestic violence can include physical violence such as hitting, slapping, pushing, or kicking against you and/or your child(ren) and threats of physical violence or regular verbal abuse used to control you and/or your children. Your spouse does NOT need to have been convicted of domestic violence or assault for you to be a domestic violence victim, and you do not need to have sought medical care or been admitted to a hospital to be a victim.

All court documents will request your address and phone number. If you are a victim of domestic violence, are in a domestic violence shelter, or if you do not want your address known in order to protect yourself or your children from further violence, **you must file for an order of protection first and ask that your address not be disclosed on court papers. With that order, you do not need to put your address and phone number on your divorce papers.** If possible, get a P.O. Box or use a valid address on these papers. If you have no other address or phone where you can be reached when you file, write "protected" where asked for this information and update the clerk of the court with an address and phone number as soon as possible.

CASE NUMBER

Use the same Case Number on all your court papers that you received with your original case. This is the number you were assigned in the divorce, separation, paternity or child support case you already had in court in Maricopa County.

PETITION:

- A. Make sure your form states PETITION TO ENFORCE COURT ORDER ABOUT DIVISION OF PROPERTY in the upper right hand part of the page.
- B. In the top left corner of the first page, fill out the following: YOUR name; address (if not protected); city, state and ZIP code; telephone number; and your ATLAS number, if you are receiving or have received financial assistance from the Arizona Department of Economic Security.
- C. Fill in the space that says "Name of Petitioner" and "Name of Respondent." You will be the PETITIONER if your divorce, separation, paternity or child support order was from another county or another state, and this is the first time you are filing a court case in Maricopa County. Otherwise, complete the caption exactly the same way as it was in the divorce, separation, paternity or child support case in Maricopa County.

WARNING: IF YOU HAVE AN EXISTING CASE IN MARICOPA COUNTY, DO NOT GET A NEW CASE NUMBER WHEN FILING YOUR CASE! USE YOUR EXISTING CASE NUMBER. IF YOU DO NOT KNOW YOUR EXISTING CASE NUMBER, ASK THE CLERK FOR YOUR EXISTING NUMBER BEFORE YOU FILE YOUR COMPLAINT/PETITION.

A. General information:

1. Fill in your name, address (if not protected) and date of birth. This is basic information about YOU, the PETITIONER.
2. Fill in the name of the opposing party, his or her address and date of birth. This is basic information about the opposing party, the RESPONDENT.
3. Give the information about the decree you want enforced.
4. Fill in information about all the other cases you or your former spouse have filed to enforce or modify the divorce decree.
5. Fill in information about all the other court cases that involve both you and your former spouse.
6. Complete the information about personal property (furnishings, vehicles) that you were supposed to get through the divorce decree, but your former spouse will not allow you to have possession.
7. Complete the information about real property (houses, land) that you were supposed to get through the divorce decree, but your former spouse will not allow you to have possession.
8. Complete the information about real property that was ordered to be sold, but your former spouse will not cooperate in the sale.

Request to the court:

1. Complete 1 A, B, and/or C to match what you said in number 6, 7, and/or 8.
2. Write in anything else you think the court should do.
3. Sign the petition in front of a notary public, and file it with the court.

Go on to the directions on what to do next, contained in this packet.

Your Name: _____
 Your Address: _____
 Your City, State, ZIP: _____
 Your Telephone No: _____
 ATLAS Number (if applicable): _____
 State Bar Number (if applicable): _____
 Representing ☐ Self, (Without a Lawyer) OR
 Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Regarding the Matter of:

Case Number: _____

(Name of Petitioner)

PETITION TO ENFORCE COURT ORDER ABOUT DIVISION OF PROPERTY

AND

(Name of Respondent)

General Information:

1. INFORMATION ABOUT THE PETITIONER

Name: _____
 Address: _____
 County of residence: _____
 Date of Birth: _____
 Occupation: _____

2. INFORMATION ABOUT THE RESPONDENT

Name: _____
 Address: _____
 County of residence: _____
 Date of Birth: _____
 Occupation: _____

3. INFORMATION ABOUT DIVORCE DECREE I WANT TO ENFORCE:

Date of order _____
 Court Case Number _____
 Location of court (city and county) _____

4. INFORMATION ABOUT OTHER COURT CASES TO ENFORCE OR MODIFY THIS COURT ORDER INVOLVING THESE PARTIES

☐ **Current enforcement or modification cases:** No other cases are pending in any court for enforcement of this court order for property. (You must check here, and this must be true.)

Case No. _____

- ☐ **Past enforcement or modification cases:** Write "none", unless if either or both parties have filed for enforcement or modification of the court order in the past, in which case you must complete the following information; use additional paper if necessary:

Names of Parties: _____

Date of order, judgment, dismissal, etc. _____

Explain what order or judgment said, or basis for dismissal: _____

Court Case Number _____

Location of court (city and county): _____

Explain Type of Case: (emergency custody, visitation, etc.) _____

5. **ALL OTHER COURT CASES THAT INVOLVE THESE PARTIES:** Describe all other court cases that involve these same parties, whether still pending or not, and complete all the information for each court order (use extra paper if necessary; if no such cases, write "none")

A. Names of Parties: _____

Date of order or judgment (if one already entered) _____

What order or judgment said: _____

Court Case Number _____

Location of court (city and state): _____

Explain Type of Case: (Order of Protection, Injunction Against Harassment, enforcement of support, enforcement of custody or visitation, etc.) _____

Status of Case Now

☐ Final Order Entered; Case is over

☐ Hearing Date Set: On (date) _____ at (time) _____

☐ Location/address: _____

☐ Other (explain in detail): _____

B. Names of Parties: _____

Date of order or judgment (if one already entered) _____

What order or judgment said: _____

Court Case Number _____

Location of court (city and state): _____

Explain Type of Case: (Order of Protection, Injunction Against Harassment, Enforcement of Support, Enforcement of Custody or Visitation, etc.) _____

Case No. _____

Status of Case Now:

- ☐ Final Order Entered; Case is over
- ☐ Hearing Date Set: On (date) _____ at (time) _____
Location/address: _____
- ☐ Other (explain in detail): _____

WHAT THE COURT ORDER SAYS THAT I WANT THE OTHER PARTY TO OBEY: (check boxes for the parts of the order you want enforced, describe the property and say what the other party is not doing to obey the order; use extra paper if necessary)

6. ☐ **A. About personal property I am supposed to take possession of:** The order granted to me the following property, (list the property you were awarded)

ITEM	VALUE	WHO HAS ITEM NOW
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- B. But the other party will not let me have the property (explain exactly and with detail what the other person is doing to keep the property away from you or keep you away from the property). _____

- C. This is what I want the court to do about it. _____

7. ☐ **A. About real property (home, cabin, etc.) as my sole/separate property:** The order granted to me as my sole and separate property the following property:

Real property located at (address) _____

which is legally described as: _____

B. But the other party will not let me have the property (explain exactly, and with detail, what the other person is doing to keep the property away from you or keep you away from the property).____

C. This is what I want the court to do about it. _____

8. ☐ **A. About real property (home, cabin, etc.) To be sold and the proceeds divided:** The order said that the following property must be sold and the proceeds divided:

Real property located at (address) _____
which is legally described as: _____

B. But the other party is delaying or hindering the sale or division of proceeds as follows (explain exactly, and with detail, what the other person is doing). _____

C. This is what I want the court to do about it. _____

REQUEST TO THE COURT UNDER OATH OR AFFIRMATION: For an order requiring the other party to appear in court to testify about these matters, and then for an order as follows:

9. For an order as follows: **CHECK ONLY THE ONE BOX THAT IS APPROPRIATE:**

☐ **A.** Ordering (name of other party) _____ to give me possession of personal property awarded to me in the divorce decree and listed above as follows:

Case No. _____

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

- ☐ **B.** Ordering (name of other party) _____ to give me possession as my sole and separate property the real property awarded to me in the divorce decree and listed above as follows:

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

- ☐ **C.** Ordering (name of other party) _____ to cooperate in the sale of the real property described above and to divide the sale proceeds as required by the divorce decree as follows:

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

10. For any other order that the court considers to be just.

OATH OR AFFIRMATION

The contents of this document are true and correct to the best of my knowledge and belief.

Signature

Date

Sworn to or affirmed before me this date:

My Commission expires

Notary Public or Deputy Clerk

SELF-SERVICE CENTER

WHAT TO DO AFTER YOU HAVE COMPLETED THE PETITION FOR ENFORCEMENT OF PROPERTY DIVISION

1. Complete all the paperwork: Here is the court paperwork you need to complete:

- ✓ The ***"Petition to Enforce Court Order for Division of Property"***
- ✓ ***"Affidavit of Financial Information"***: complete one copy, and leave one copy blank. The second blank copy is for the other party to complete after he or she gets the paperwork.
- ✓ ***"Order to Appear"***: Complete the information on the top about you, and also fill in the part about the name of Petitioner and Respondent.

2. Make copies and file the papers with the Clerk of the Court: Make three copies of all the paperwork you completed: one for you, one for the judge, and one for the other party. In addition to the papers listed above, you will also need an extra copy of the following:

- ✓ ***"Family Court Department Notice"***

The fee for filing for this process, as of January 1, 1998, is \$61.00. If you cannot afford the fee, ask the clerk for the paperwork on waiving or deferring court filing fees, or you can get that paperwork at the Self-Service Center. You can also get a waiver or deferral of the fees for the Sheriff to serve the papers, if you qualify.

File the original of the ***"Petition to Enforce Court Order for Division of Property"*** and ***"Affidavit of Financial Information"*** with the Clerk of the Court at the Family Court Filing Counter. The Deputy Clerk will give you back the ORIGINAL of the Order to Appear.

Ask the clerk to stamp the extra copies for you too. These are called "conformed" copies. You may file your documents at any one of the following locations:

The Clerk of the Superior Court
Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

The Clerk of the Superior Court
Southeast Court Complex
222 East Javelina Drive, 1st floor
Mesa, Arizona 85210

The Clerk of Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, Arizona 85032

The Clerk of the Superior Court
Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374

3. Mail or hand-deliver the papers to the judge who is assigned to your case: Go to the judge who is assigned to your case. If you are not sure which judge is assigned, go to the Family Court Administration Office first and staff will tell you which judge is assigned and where he or she is located. Leave the following papers with the Judge's assistant.

- ✓ Copy of ***"Petition to Enforce Court Order for Division of Property"*** and ***"Affidavit of Financial Information"***
- ✓ Original and 2 copies of ***"Order to Appear"***
- ✓ A 9 x 12 self addressed, stamped envelope so the staff can mail the judge's decision to you.

If you choose to mail the papers to the judge assigned to your case, send all of the above to:

(Name of the judge assigned to your case)
Superior Court of Arizona in Maricopa County
201 W. Jefferson St., 4th Floor
Phoenix, AZ 85003

4. What the judge will do: The judge will decide one of the following, based on the paperwork you submitted.

- ✓ To schedule a hearing for you and the other party to come to talk to the judge about the case
- ✓ To dismiss the case because the judge thought your paperwork did not show a legal reason to proceed
- ✓ Other orders the judge thinks proper

5. Wait to hear back from the judge about your court hearing:

Wait a week or so for the hearing date to be set. The judge will write an order stating what the judge decided to do with your case. Read the judge's order carefully, so you know what the judge decided to do next.

If you provided a self-addressed 9 x 12 inch envelope with sufficient postage, the judge's staff will send the judge's decision and papers back to you. Otherwise, you must come back to court about a week after you drop off the forms and get them from the judge. You can call the judge's office to learn whether a hearing date has been set.

If the judge decided to hear your case, the staff will return to you **the original and copy of the "Order to Appear"**. One copy is for you, and one copy is for the other party.

6. Serve the papers on the other party: If the judge decided to set a hearing, you must arrange for service of the following papers on the other party:

- ✓ The **"Petition to Enforce Court Order for Division of Property"**
- ✓ The **"Affidavit of Financial Information"**: a copy of the one you completed, and a blank copy for the other party to complete.
- ✓ The **"Order to Appear"**
- ✓ Copy of **"Family Court Department Notice"**

Sometimes the other party will ACCEPT service in which case he or she must sign and you must file the **"Acceptance of Service"**. If the other party does not accept service, then you must contact a process server or the sheriff to serve the papers on the other party. Give the process server or sheriff a copy and the original **"Order to Appear"**, depending on what the judge completed and sent back to you.

After service, the process server or sheriff will file an Affidavit of Service and also will file the original of the **"Order to Appear"** with the Clerk of the Court. If the other party accepted service, then you must file the original of the **"Order to Appear"**, and the original of the **"Acceptance of Service"**.

7. Go to the court hearing with a copy of the Order Enforcing Decree: Be sure to write down the date, time and place of the court hearing, and come to the hearing. Be on time. Dress neatly. Be prepared to present your evidence about why the judge should order the change you requested. Do not bring children to court.

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

Regarding the Marriage or Matter of

Case No. _____

Petitioner
and

**ORDER TO APPEAR (ORDER TO SHOW CAUSE)
REGARDING PETITION FOR ENFORCEMENT OF
ORDER FOR DIVISION OF PROPERTY**

Respondent

NOTICE: THIS IS AN IMPORTANT COURT ORDER THAT AFFECTS YOUR RIGHTS. READ THIS ORDER CAREFULLY. IF YOU DO NOT UNDERSTAND THIS ORDER, CONTACT AN ATTORNEY FOR LEGAL ADVICE.

A party has filed a verified ***"Petition to Enforce a Court Order About Division of Property."*** Based on the Petition, and the documents filed with it, and pursuant to Arizona Law,

IT IS ORDERED THAT YOU, _____ appear at the time and place designated below so the court can determine whether the relief asked for in the Petition should be granted.

INFORMATION ABOUT COURT HEARING TO BE HELD:

NAME OF JUDICIAL OFFICER: _____

DATE AND TIME OF HEARING: _____

PLACE OF HEARING: _____ MARICOPA SUPERIOR COURT

ADDRESS OF COURT HEARING: _____

AMOUNT OF TIME REQUESTED: _____

IT IS FURTHER ORDERED that a true copy of this ***"Order to Appear (Order to Show Cause)"*** and a true copy of the Petition and Documents filed with the Petition shall be served by the moving party on the parties who are required to appear, and a true copy of these documents shall be mailed immediately to parties who have appeared in this action, in accordance with R.C.P. 5(a).

DONE IN OPEN COURT this _____ day of _____, 20_____.

Judge/Commissioner of the Superior Court

Name: _____
 Mailing Address: _____
 City, State, Zip Code: _____
 Daytime Phone Number: _____
 Evening Phone Number: _____
 Representing: ☐ Self ☐ Petitioner ☐ Respondent
 State Bar Number: _____

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

 Petitioner/Plaintiff

Case No. _____

ATLAS No. _____

AFFIDAVIT OF FINANCIAL INFORMATION

 Respondent

Affidavit of _____
 (Name of Person Whose Information is on this
 Affidavit)

IMPORTANT INFORMATION ABOUT THIS DOCUMENT

WARNING TO BOTH PARTIES: This Affidavit is an important document. You must fill out this Affidavit completely, and provide accurate information. You must provide copies of this Affidavit and all other required documents to the other party and to the judge. If you do not do this, the court may order you to pay a fine.

I have read the following document and know of my own knowledge that the facts and financial information stated below are true and correct, and that any false information may constitute perjury by me. I also understand that, if I fail to provide the required information or give misinformation, the judge may order sanctions against me, including assessment of fees for fines under Rule 31, Arizona Rules of Family Law Procedure.

 Date

 Signature of Person Making Affidavit

INSTRUCTIONS

1. **Complete the entire Affidavit in black ink. If the spaces provided on this form are inadequate, use separate sheets of paper to complete the answers and attach them to the Affidavit. Answer every question completely! You must complete every blank. If you do not know the answer to a question or are guessing, please state that. If a question does not apply, write "NA" for "not applicable" to indicate you read the question. Round all amounts of money to the nearest dollar.**
2. Answer the following statements **YES** or **NO**. If you mark **NO**, explain your answer on a separate piece of paper and attach the explanation to the Affidavit.

[] YES [] NO	1. I listed all sources of my income.
[] YES [] NO	2. I attached copies of my two (2) most recent pay stubs.
[] YES [] NO	3. I attached copies of my federal income tax return for the last three (3) years, and I attached my W-2 and 1099 forms from all sources of income.

Case No. _____

1. GENERAL INFORMATION:

- A. Name: _____ Date of Birth: _____
B. Current Address: _____
C. Date of Marriage: _____ Date of Divorce: _____
D. Last date when you and the other party lived together: _____
E. Full names of child(ren) common to the parties (in this case), their dates of birth:

Name	Date of Birth
_____	_____
_____	_____
_____	_____

- F. The name, date of birth, relationship to you, and gross monthly income for each individual who lives in your household:

Name	Date of Birth	Relationship to you	Income
_____	_____	_____	_____
_____	_____	_____	_____

- G. Any other person for whom you contribute support:

Name	Age	Relationship to You	Reside With You (Y/N)	Court Order to Support (Y/N)
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

- H. Attorney's Fees paid in this matter \$ _____. Source of funds _____

2. EMPLOYMENT INFORMATION:

- A. Your job/occupation/profession/title: _____
Name and address of current employer: _____

Date employment began: _____

How often are you paid: ☐ Weekly ☐ Every other week ☐ Monthly ☐ Twice a month
☐ Other _____

- B. If you are not working, why not? _____

- C. Previous employer name and address: _____

Previous job/occupation/profession/title: _____

Date previous job began: _____ Date previous job ended: _____

Reason you left job: _____

Gross monthly pay at previous job: \$ _____

- D. Total gross income from last three (3) years' tax returns (attach copies of pages 1 and 2 of your federal income tax returns for the last three (3) years):

Year _____ \$ _____ Year _____ \$ _____ Year _____ \$ _____

- E. Your total gross income from January 1 of this year to the date of this Affidavit (year-to-date income): \$ _____

3. YOUR EDUCATION/TRAINING: List name of school, length of time there, year of last attendance, and degree earned:

- A. High School: _____
- B. College: _____
- C. Post-Graduate: _____
- D. Occupational Training: _____

4. YOUR GROSS MONTHLY INCOME:

- List **all** income you receive from **any** source, whether private or governmental, taxable or not.
- List all income payable to you individually or payable jointly to you and your spouse.
- Use a monthly average for items that vary from month to month.
- Multiply weekly income and deductions by 4.33. Multiply biweekly income by 2.165 to arrive at the total amount for the month.

A. Gross salary/wages per month \$ _____

- **Attach copies of your two most recent pay stubs.**

Rate of Pay \$ _____ per [] hour [] week [] month [] year

B. Expenses paid for by your employer:

1. Automobile \$ _____
2. Auto expenses, such as gas, repairs, insurance \$ _____
3. Lodging \$ _____
4. Other (Explain) _____ \$ _____

C. Commissions/Bonuses \$ _____

D. Tips \$ _____

E. Self-employment Income (See below) \$ _____

F. Social Security benefits \$ _____

G. Worker's compensation and/or disability income \$ _____

H. Unemployment compensation \$ _____

I. Gifts/Prizes \$ _____

J. Payments from prior spouse \$ _____

K. Rental income (net after expenses) \$ _____

L. Contributions to household living expense by others \$ _____

M. Other (Explain:) _____ \$ _____
(Include dividends, pensions, interest, trust income, annuities or royalties.)

TOTAL: \$ _____

5. SELF-EMPLOYMENT INCOME (if applicable):

If you are self-employed, attach a copy of the Schedule C for your business from your last tax return and the most recent income/expense statement from your business.

If self employed, provide the following information:

Name, address and telephone no. of business: _____

Type of business entity: _____

State and Date of incorporation: _____

Nature of your interest: _____

Nature of business: _____

Percent ownership: _____

Number of shares of stock: _____

Case No. _____

Total issued and outstanding shares: _____

Gross sales/revenue last 12 months: _____

INSTRUCTIONS

Both parties must answer item 6 if either party asks for child support. These expenses include only those expenses for children who are common to the parties, which means one party is the birth/adoptive mother and the other is the birth/adoptive father of the children.

6. SCHEDULE OF ALL MONTHLY EXPENSES FOR CHILDREN:

- **DO NOT LIST** any expenses for the other party, or child(ren) who live(s) with the other party, **unless** you are paying those expenses.
- Use a monthly average for items that vary from month to month.
- If you are listing anticipated expenses, indicate this by putting an asterisk (*) next to the estimated amount.

A. HEALTH INSURANCE:

1. Total monthly cost \$ _____
2. Premium cost to insure you alone \$ _____
3. Premium cost to insure child(ren) common to the parties \$ _____
4. List all people covered by your insurance coverage:

5. Name of insurance company and Policy/Group Number:

B. DENTAL/VISION INSURANCE:

1. Total monthly cost \$ _____
2. Premium cost to insure you alone \$ _____
3. Premium cost to insure child(ren) common to the parties \$ _____
4. List all people covered by your insurance coverage:

5. Name of insurance company and Policy/Group Number:

C. UNREIMBURSED MEDICAL AND DENTAL EXPENSES:

(Cost to you after, or in addition to, any insurance reimbursement)

1. Drugs and medical supplies \$ _____
2. Other _____ \$ _____

TOTAL:

\$ _____

D. CHILD CARE COSTS:

1. Total monthly child care costs \$ _____
(Do not include amounts paid by D.E.S.)
2. Name(s) of child(ren) cared for and amount per child:

\$ _____
\$ _____
\$ _____
\$ _____

3. Name(s) and address(es) of child care provider(s):

E. EMPLOYER PRETAX PROGRAM:

Do you participate in an employer program for pretax payment of child care expenses? (Cafeteria Plan)? [] YES [] NO

F. COURT ORDERED CHILD SUPPORT:

1. Court ordered current child support for child(ren)
not common to the parties \$ _____
2. Amount of any arrears payment \$ _____
3. Amount per month actually paid in last 12 mos. \$ _____
 - **Attach proof that you are paying**
4. Name(s) and relationship of minor child(ren) who you support or who live with you, but are **not** common to the parties.

G. COURT ORDERED SPOUSAL MAINTENANCE/SUPPORT (Alimony):

1. Court ordered spousal maintenance/support you actually pay to previous spouse: \$ _____

H. EXTRAORDINARY EXPENSES :

1. For **Children** (Educational Expense/Special Needs/Other): \$ _____
 Explain: _____

2. For **Self**: \$ _____
 Explain: _____

INSTRUCTIONS

Both parties must answer items 7 and 8 if either party is requesting:

- Spousal maintenance
- Division of expenses
- Attorneys' fees and costs
- Adjustment or deviation from the child support amount
- Enforcement

7. SCHEDULE OF ALL MONTHLY EXPENSES:

- Do NOT list any expenses for the other party, or children who live with the other party unless you are paying those expenses.
- Use a monthly average for items that vary from month to month.
- If you are listing anticipated expenses, indicate this by putting an asterisk (*) next to the estimated amount.

•

Case No. _____

A. HOUSING EXPENSES:

- | | |
|--|----------|
| 1. House payment: | |
| a. First Mortgage | \$ _____ |
| b. Second Mortgage | \$ _____ |
| c. Homeowners Association Fee | \$ _____ |
| d. Rent | \$ _____ |
| 2. Repair & upkeep | \$ _____ |
| 3. Yard work/Pool/Pest Control | \$ _____ |
| 4. Insurance & taxes not included in house payment | \$ _____ |
| 5. Other (Explain) _____ | \$ _____ |
| TOTAL: | \$ _____ |

B. UTILITIES:

- | | |
|-------------------------------|----------|
| 1. Water, sewer, and garbage | \$ _____ |
| 2. Electricity | \$ _____ |
| 3. Gas | \$ _____ |
| 4. Telephone | \$ _____ |
| 5. Mobile phone/pager | \$ _____ |
| 6. Internet Provider | \$ _____ |
| 7. Cable/Satellite television | \$ _____ |
| 8. Other (Explain:) _____ | \$ _____ |
| TOTAL: | \$ _____ |

C. FOOD:

- | | |
|---------------------------------------|----------|
| 1. Food, milk, and household supplies | \$ _____ |
| 2. School lunches | \$ _____ |
| 3. Meals outside home | \$ _____ |
| TOTAL: | \$ _____ |

D. CLOTHING:

- | | |
|--|----------|
| 1. Clothing for you | \$ _____ |
| 2. Uniforms or special work clothes | \$ _____ |
| 3. Clothing for children living with you | \$ _____ |
| 4. Laundry and cleaning | \$ _____ |
| TOTAL: | \$ _____ |

E. TRANSPORTATION OR AUTOMOBILE EXPENSES:

- | | |
|---|----------|
| 1. Car insurance | \$ _____ |
| 2. List all cars and individuals covered: | |
| _____ | |
| _____ | |
| _____ | |
| 3. Car payment, if any | \$ _____ |
| 4. Car repair and maintenance | \$ _____ |
| 5. Gas and oil | \$ _____ |
| 6. Bus fare/parking fees | \$ _____ |
| 7. Other (explain): _____ | \$ _____ |
| TOTAL: | \$ _____ |

F. MISCELLANEOUS:

- | | |
|---|----------|
| 1. School and school supplies | \$ _____ |
| 2. School activities or fees | \$ _____ |
| 3. Extracurricular activities of child(ren) | \$ _____ |

Case No. _____

4. Church/contributions	\$ _____
5. Newspapers, magazines and books	\$ _____
6. Barber and beauty shop	\$ _____
7. Life insurance (beneficiary: _____)	\$ _____
8. Disability insurance	\$ _____
9. Recreation/entertainment	\$ _____
10. Child(ren)'s allowance(s)	\$ _____
11. Union/Professional dues	\$ _____
12. Voluntary retirement contributions and savings deductions	\$ _____
13. Family gifts	\$ _____
14. Pet Expenses	\$ _____
15. Cigarettes	\$ _____
16. Alcohol	\$ _____
17. Other (explain): _____	\$ _____
TOTAL:	\$ _____

8. OUTSTANDING DEBTS AND ACCOUNTS: List all debts and installment payments you currently owe, but **do not include items listed in Item 8** "Monthly Schedule of Expenses". Follow the format below. Use additional paper if necessary.

Creditor Name	Purpose of Debt	Unpaid Balance	Min. Monthly Payment	Date of Your Last Payment	Amount of Your Payment

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY
Family Court Department Notice
Notice about “Returns”/Conferences in Commissioners’ Courts
Approved July 1, 1997/Revised June 9, 1998

This notice applies to **all** proceedings and must be served with the **“Order to Show Cause”**
and/or **“Order to Appear”** (except in IV-D child support cases by DES/DCSE)

GENERAL INFORMATION: Due to an increase in demand for time on commissioner calendars, as well as the reduction in resources available, the Family Court commissioners will set EVERY **“Petition for Temporary Orders”** and other requests for evidentiary hearings for a 15 minute “return”/status conference before setting a hearing.

REQUIREMENTS APPLICABLE TO THE RETURN: The attached **“Order to Appear”/“Order to Show Cause”** is a return only. Here is what the parties and attorneys must know about the return/status conference:

1. **Documents:** Not later than 3 judicial days before the date of the return, the parties shall exchange current, complete, and verified **“Affidavits of Financial Information,”** along with supporting documents. Failure to do so may result in sanctions.
2. **Failure to Appear:** This is a 15 minute proceeding with the court. The court will determine if more time is needed. All parties, whether represented by attorneys or not, must be present. If there is a failure to appear, the court may make such orders as are just, including granting the relief requested by the party who does appear.
3. **Conduct of Return/Status Conference:** If both parties appear, they must be prepared to advise the court of the issues resolved, as well as the issues which remain disputed. Each party shall be prepared to state his or her position on each issue. The court may schedule discovery, disclosure and any other matter necessary to assist the litigants at the subsequent hearing. The court may also enter an Order as to scope and duration of the hearing, including witnesses and documents which may be offered at hearing.
4. **Ability to Schedule Further Proceedings:** Parties and counsel attending the return/ status conference shall have in their possession a schedule of their availability. They shall be prepared to advise the court of any periods of non-availability in the six weeks after the return date.
5. **Duty to Meet Prior to Return:** Except where a party has obtained an **“Order of Protection”** or other Order of the court prohibiting contact, the parties shall meet and confer at least 24 hours prior to the return. In cases where an attorney has been retained, the attorney shall make a reasonable effort to meet with and confer with the opponent at least 24 hours prior to the return.

WARNING. All litigants and counsel are cautioned that failure to notify the court of settlement in a timely manner may result in the imposition of sanctions.

Case No. _____

THEREFORE, IT IS ORDERED THAT:

1. ☐ Ordering (name of other party) _____ to give possession of personal property awarded to (name) _____ as identified below as follows:

DESCRIPTION OF PROPERTY THAT THIS ORDER IS ABOUT: _____

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

2. ☐ Ordering (name of other party) _____ to give possession to _____ (name) as separate property the real property awarded to him/her in the divorce decree and identified below as follows:

DESCRIPTION OF PROPERTY: _____

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

3. ☐ Ordering (name of other party) _____ to participate in the sale of the following real property and to divide the sale proceeds as required by the divorce decree as follows:

Case No. _____

DESCRIPTION OF PROPERTY: _____

WHEN: _____

WHERE: _____

WITH WHO ELSE PRESENT: _____

OTHER: _____

4. OTHER ORDERS: This Court makes further Orders relating to this matter as follows: (explain -- use additional paper if necessary): _____

DONE IN OPEN COURT this _____ day of _____ 20____.

JUDGE OR COURT COMMISSIONER